

REMARKS

Claims 23, 24, 26-31, 33, 35 and 37-41 are pending in the application.

The Examiner objected to the characterization of claims 1-4, 13-15 and 20-22 as "Withdrawn". Claims 1-22 have been noted as canceled, which is understood to address the objection.

Claims 26 and 30-36 have been rejected under 35 U.S.C. 112, second paragraph. Claims 26, 32, 34 and 36 have been canceled herein, rendering these rejections moot. Regarding claims 26, 30 and 31, independent claim 30 has been amended to clarify the invention, and claims 26, 33 and 35 also have been so amended. It is believed that with the amendment the rejection has been traversed.

Claims 23-28 and 30-35 have been rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-062672 to Motoo ("Motoo") in view of GB 526,773 to Marcelin ("Marcelin"). This rejection is respectfully traversed as follows.

a. Claims 23-28

It is respectfully submitted that neither Motoo nor Marcelin, alone or in combination, teach or suggest all of the elements of independent claim 23. For instance, neither reference, alone or in combination, teaches or suggests a front fork assembly foldable by rotating the front fork substantially 180 degrees and pivoting it toward the down tube such that the front wheel is adjacent the down tube in a folded position. In Motoo the front wheel is foldable *from a forward facing position*; Motoo does not teach or suggest rotating a front fork 180 degrees to fold it. *See* Motoo at FIG. 7. Marcelin does not make up for this deficiency of Motoo. In Marcelin, the front fork assembly is rotated, *but it is not folded*. Marcelin discloses folding *the handlebars* after rotating the front fork assembly. *See* Marcelin at FIG. 3.

Moreover, one of skill in the art would have no reason to combine Motoo and Marcelin to arrive at the recited features of claim 23. Both Motoo and Marcelin contemplate folding bicycle mechanisms for achieving compact size of the bicycle in the folded position. However, neither Motoo nor Marcelin were able to achieve a structurally sound folding mechanism that involved rotating the front fork assembly 180 degrees. Thus, one of skill in the art would discern from Motoo

and Marcelin that it was not feasible to rotate a front fork assembly 180 degrees and fold it. It is only with impermissible hindsight reconstruction that one could use the insight of the present invention to combine those two references. Accordingly, it is respectfully submitted that the rejection in view of Motoo and Marcelin has been traversed.

b. Claims 30-35

It is respectfully submitted that neither Motoo nor Marcelin, alone or in combination, teaches or suggests all of the elements of independent claim 30 for the reasons discussed above. For instance, these references do not teach or suggest a rear wheel assembly being foldable by rotating a rear wheel generally outward and upward such that the rear wheel is substantially behind the seat tube in a folded position. As acknowledged at page 4 of the Office Action, the combination of Motoo and Marcelin lacks a folding rear wheel assembly. For at least this reason, it is respectfully submitted that independent claim 30 and the claims that depend therefrom are patentable over Motoo in view of Marcelin.

c. Claims 29 and 36

Claims 29 and 36 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Motoo and Marcelin as applied to claims 23-28 and 30-35, and further in view of FR 1,011,900 to Astier ("Astier"). This rejection is respectfully traversed as follows.

Claim 36 has been canceled herein. It is respectfully submitted that neither Motoo, Marcelin nor Astier, alone or in combination, teach or suggest all of the elements of claim 29. As discussed above, neither Motoo nor Marcelin teaches or suggests a rear wheel assembly being foldable by rotating a rear wheel generally outward and upward such that the rear wheel is substantially behind the seat tube in a folded position. Astier does not make up for this deficiency of Motoo and Marcelin. Astier does not teach or suggest a rear wheel assembly being foldable by rotating a rear wheel generally backward and upward such that the rear wheel is substantially behind the seat tube in a folded position. Rather, in Astier the rear wheel is folded inwards such that it is in front of the seat tube in the folded position. For at least these reasons, it is respectfully submitted that claim 29 is patentable over Motoo and Marcelin further in view of Astier.

The Examiner's attention also is directed to new claims 37-41, which are believed patentable over the cited references for at least the reasons discussed above.

The Examiner's attention also is directed to new claims 37-41, which are believed patentable over the cited references for at least the reasons discussed above.

Conclusion

It is believed that all objections and rejections in the application have been addressed and that the present application is in condition for allowance. A favorable reconsideration and allowance of the pending claims is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 for any additional required fees.

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Respectfully submitted,



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